

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



January 18, 2005

Regulation Package #1202-32

CDSS MANUAL LETTER NO. OPS-04-01

TO: HOLDERS OF THE OPERATIONS MANUAL, DIVISION 11

Regulation Package #1202-32**Effective 12/10/04****Sections 11-400 and 11-410**

This manual letter has been posted on the Office of Regulations Development website at http://www.dss.cahwnet.gov/ord/Operations_619.htm.

These final regulations address four separate though related elements: The Independent Living Program (ILP), the Transitional Independent Living Plan (TILP), the Transitional Housing Placement Program (THPP), and the Transitional Housing Program-Plus (THP-Plus).

At the Department's discretion, nonsubstantive and grammatical post-hearing amendments have been made to the Foster Care Rates definition section and the Transitional Housing Placement Program rates section.

A 15-day renote was held commencing on October 2, 2004 and concluding on October 18, 2004. No testimony was received and no further changes made to the regulations.

These regulations provide fair and equitable treatment to eligible foster care youth by providing services and programs to assist them to be self sufficient upon leaving foster care.

These regulations were considered at the Department's public hearing held on December 17, 2003.

FILING INSTRUCTIONS

Revisions to all manuals are indicated by a vertical line in the left margin. The attached pages are to be entered in your copy of the Manual of Policies and Procedures. The latest prior manual letter containing Operations Manual regulation changes was OPS-03-04.

Page(s)**Replace(s)**

57 and 58
175 and 175.1

Pages 57 and 58
Pages 175 and 175.1

Attachments

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11-400	AFDC-FOSTER CARE RATES - DEFINITIONS (Continued)	11-400
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- | (3) Transitional Housing Placement Program (THPP) - for the purposes of this section, is a community care facility licensed by the Department and includes all components of the program that provides supervised housing and supportive services for eligible dependent foster/probation youth as specified in Welfare and Institutions Code Section 11403.2(a)(1).
- (4) Transitional Housing Program - Plus (THP-Plus) - for the purposes of this section, is a transitional housing placement program not licensed by the Department, but certified by counties to provide housing and supportive services, as needed, to emancipated youth pursuant to Welfare and Institutions Code Section 11403.2(a)(2).
- u. (1) Underpayment - An amount owed to a group home provider by the Department.
(2) Repealed by Manual Letter No. OPS-99-05, effective 12/10/99.
- v. (Reserved)
- w. (1) Weighting/Weighted - The factor applied to the eligible hours in each of the three program components to determine the number of points.

11-400 AFDC-FOSTER CARE RATES - DEFINITIONS (Continued)**11-400**

- x. (Reserved)
- y. (Reserved)
- z. (Reserved)

NOTE: Authority cited: Sections 10553, 10554, 11460(b), 11462(i) and (j), 11462.06, 11466.1, 11466.21, 11466.22, 11466.5, and 14680, Welfare and Institutions Code; Section 1559.110, Health and Safety Code; and Chapter 1294, Statutes of 1989, Section 23. Reference: Sections 1200, 1250, 1502(a)(1) and (a)(8), 1502.4, 1502.4(a)(1), (a)(2)(A), and (b), 1530.8, and 1559.110, Health and Safety Code; Section 3353, California Labor Code; Sections 4096, 4096(e)(2), 4096.5, 5600.3(a)(2), 5777, 5778, 10852, 11226, 11228, 11230, 11231, 11232, 11233, 11234, 11235, 11236, 11400(h), 11402.5(a), 11460, 11461.1, 11462, 11462(a)(1), 11462.01(a)(2)(A)(i) and (ii), 11462.01(a)(2)(B)(i), 11462.03, 11466.1, 11466.2, 11466.21, 11466.22, 11466.3, 11466.31, 11466.33, 11466.34, 11467.1 (Assembly Bill 1197, Chapter 1088, Statutes of 1993), 11468, 11468.6, 14680, 16522(a), (b), and (c), and 18350, Welfare and Institutions Code; Public Laws 98-502 and 104-156; Assembly Bill 1575, Chapter 728, Statutes of 1997; The Classification of Group Home Program Under the Standardized Schedule of Rate System Report, August 30, 1989, and Title 8, California Code of Regulations, Section 11050; and federal Office of Management and Budget (OMB) Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations; *Government Auditing Standards* of the Comptroller General of the United States (Yellow Book) 1994 Revision, including Amendment No. 1 (May 1999) and Amendment No. 2 (July 1999) Section 4.25 and 4.26; and Department of Health and Human Services, Administration for Children and Families letters dated April 19, 2001, February 22, 2002 and May 7, 2002; American Institute of Certified Public Accountants Statement on Auditing Standards Number 82, Description and Characteristics of Fraud.

11-410	TRANSITIONAL HOUSING PLACEMENT PROGRAM RATES	11-410
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- .1 For THPP rates, pursuant to Welfare and Institutions Code Section 11403.3(a)(1), and MPP Section 30-900 et. seq., a county whose THPP plan has been approved by the Department prior to June 30, 2001 is approved to receive the base rate approved as of that date. If a county did not have an approved THPP plan as of June 30, 2001, the base rate per participant will be \$2,100 per month. An additional amount may be paid according to the following:
 - .11 The additional amount shall not cause the total rate to exceed 75 percent of the average RCL payment the county pays to group homes for foster youth 16 to 18 years of age.
 - .12 Funding of the additional amount shall be subject to the sharing ratios specified in Welfare and Institutions Code Section 15200.
 - .13 The state portion of the additional amount shall be subject to the availability of the Transitional Housing for Foster Youth Fund.
 - .14 If the Transitional Housing for Foster Youth Fund is depleted, the county shall pay the state share of the additional amount.
- .2 Pursuant to Welfare and Institutions Code Section 11403.3(a)(2), the per tenant monthly rate for THP-Plus shall not exceed 70 percent of the average RCL payment the county pays to group homes for foster youth 16 to 18 years of age, contingent upon the following conditions:
 - .21 Funding shall be subject to the sharing ratios specified in Welfare and Institutions Code Section 15200.
 - .22 The state portion of the rate shall be subject to the availability of the Transitional Housing for Foster Youth Fund.
 - .23 If the Transitional Housing for Foster Youth Fund is depleted, the county shall pay the state share of the rate.
- .3 Special Definitions:
 - .31 "Participant" means, for the purposes of this chapter, a foster/probation youth placed in a THPP unit as specified in Welfare and Institutions Code Section 11403.2(a)(1).

11-410	TRANSITIONAL HOUSING PLACEMENT PROGRAM RATES (Continued)	11-410
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| | <p>.32 "Tenant" means, for the purposes of this chapter, a young adult who is a former foster/probation youth and who is participating in Transitional Housing Program (THP)-Plus pursuant to Welfare and Institutions Code Section 11403.2(a)(2).</p> <p>.33 "Unit" means, for the purposes of this chapter, the THPP residence where the participant or tenant resides.</p> | |
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NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 10553, 10554, 11403.3, 15200, and 16522.3, Welfare and Institutions Code.	
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11-415	INFANT SUPPLEMENT	11-415
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| .1 | The infant supplement paid shall be a uniform amount to cover the cost of care and supervision of a child in addition to the rate that would otherwise be paid for the minor parent's placement. | |
| .11 | The amount paid for a child living with a minor parent in a group home placement who receives AFDC-FC shall be \$768 per month per child. | |
| .12 | The amount paid for a child living with a minor parent in an eligible facility other than a group home who receives AFDC-FC shall be \$354 per month per child. | |

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 11465 and 11468, Welfare and Institutions Code.	
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